



Patrick W. Turner
General Counsel-South Carolina
Legal Department

AT&T South Carolina
1600 Williams Street
Suite 5200
Columbia, SC 29201

T: 803.401.2900
F: 803.254.1731
patrick.turner.1@att.com
www.att.com

October 29, 2008

The Honorable Charles Terreni
Chief Clerk of the Commission
Public Service Commission of South Carolina
Post Office Drawer 11649
Columbia, South Carolina 29211

Re: AT&T South Carolina's Petition Requesting the Commission's
Intervention in NANPA NXX Code Assignments
Docket No. _____

Dear Mr. Terreni:

BellSouth Telecommunications Inc. d/b/a AT&T South Carolina ("AT&T South Carolina") respectfully encloses for filing a Petition for Review of NXX Code Denial in the Mt. Pleasant-Rate Center in the above-captioned matter.

By copy of this letter, I am serving a copy of this document on NANPA, NeuStar, and the ORS, as indicated on the attached Certificate of Service.

Sincerely,

Patrick W. Turner

PWT/nml
Attachment
720240

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

In Re: AT&T SOUTH CAROLINA’S)
PETITION REQUESTING THE COMMISSION’S) DOCKET NO. _____
INTERVENTION IN NANPA NXX CODE)
ASSIGNMENTS)

PETITION FOR REVIEW OF NXX CODE DENIAL
IN THE MT. PLEASANT-RATE CENTER

BellSouth Telecommunications, Inc. d/b/a AT&T South Carolina (“AT&T South Carolina”), pursuant to rules adopted by the Federal Communications Commission (“FCC”) for challenging determinations of the North American Numbering Plan Administration (“NANPA”), petitions the Public Service Commission of South Carolina (“Commission”) for review of NANPA’s denial of AT&T South Carolina’s application for use of central office code numbering resources in the 843 area code. The denial that is the subject of this Petition impacts AT&T South Carolina customer Roper St. Francis HealthCare.

In support of this Petition, AT&T South Carolina states:

1. AT&T South Carolina is a telephone utility that provides certain services that are regulated by the Commission. Among other things, it provides intraLATA, local exchange telecommunications services in various portions of South Carolina, including the Mt. Pleasant exchange.
2. NANPA is an independent non-governmental entity that is responsible for administering and managing the North American Numbering Plan (“NANP”). See 47 C.F.R. § 52.13 (a), (b).

3. On March 31, 2000, the FCC issued a Report and Order and Further Notice of Proposed Rule Making relating to numbering resource optimization (“FCC 00-104”). The goal of FCC 00-104 was to implement uniform standards governing requests for telephone numbering resources in order to increase efficiency in the use of existing telephone numbers and to avoid further exhaustion of existing numbers under the NANP.

4. Among other things, the FCC required that, to qualify for access to new numbering resources, applicants must establish that existing inventory within the applicant’s rate center will be exhausted within six months of the application. The FCC reaffirmed this requirement in two subsequent orders. FCC 00-429 at ¶ 29 (rel. Dec. 29, 2000); FCC 01-362 at ¶¶ 48-49 (rel. Dec. 28, 2001). Prior to this ruling, the Central Office Code Assignment Guidelines, used by the industry and NANPA to make code assignments, required the applicant’s existing number inventory within the applicant’s serving switch to exhaust within six months of the code application or the carrier had to prove that it was unable to meet a specific customer’s request with its current inventory of numbers in order for a code to be assigned.

5. In addition to the months-to-exhaust (“MTE”) requirement described above, the FCC’s rules also required carriers to meet a rate center utilization threshold of 60 percent in order to receive additional numbering resources in a given rate center. FCC 00-429 at Paragraph 22; FCC 01-362, ¶¶ 50-52. The utilization threshold has increased by five percent per year, and it has now reached the maximum of 75 percent. Based on the FCC’s orders, carriers must meet both the six months MTE requirement and the utilization threshold on a rate center basis in order to obtain numbering resources. *Id.*

6. On or about September 16, 2008, AT&T South Carolina submitted a Pooling Administration System request to NANPA and NeuStar for the assignment of two thousand-number blocks in the Mt. Pleasant exchange to go with its customer's existing dialing plan. In order to meet the customer's express request for numbers, *see* Exhibit A, AT&T South Carolina requested the assignment of two consecutive thousand-numbers in the 843 NPA with XXXX's that do not begin with a 9 or a 0. *See* Exhibit B. As AT&T South Carolina does not have the existing numbers to meet the customer's request, it is requesting that the numbers be assigned to it.

7. AT&T South Carolina's application was completed in accordance with Industry Numbering Committee's (INC's) and/or NANPA's guidelines, and AT&T South Carolina filled out the necessary Month-to-Exhaust Certification Worksheets as required.

8. At the time of the filing of the Code request, the Mt. Pleasant Rate Center had a MTE of 18.351 months to 19.700 months for the relevant blocks, and a utilization of 75.267%. *See* Exhibit B.

9. Thereafter, also on September 16, 2008, NANPA's Central Office Code Administration denied AT&T South Carolina's request because AT&T South Carolina had not met the rate center based MTE criterion now set forth in the Central Office Code (NXX) Guidelines. *See* Exhibit B. NANPA denied AT&T South Carolina's code requests despite the fact that AT&T South Carolina does not have adequate numbering resources needed to satisfy this customer's demands in the Mt. Pleasant Rate Center.

10. AT&T South Carolina's inability to provide this important customer with the requested numbers prevents AT&T South Carolina from providing the quality of service this

customer desires, needs, and expects. If AT&T South Carolina is not assigned the NXX number blocks needed to meet the customer's request, AT&T South Carolina will be unable to provide telecommunications services requested by its customer. NANPA's refusal to grant numbering resources sufficient to meet the needs of this customer is inconsistent with the FCC's position that "(u)nder no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources," FCC 00-429 at ¶ 61.

11. Both the FCC's rules and the Central Office Code (NXX) Assignment Guidelines provide that state regulatory authorities have the power and authority to review NANPA's decision to deny a request for numbering resources. See FCC 01-362, Appendix A, Final Rules, § 52.15(g) (4) ("The carrier may challenge the NANPA's decision to the appropriate state regulatory commission"); FCC 01-362 at ¶¶ 61-66; Central Office Code (NXX) Assignment Guidelines § 13.0 ("Appeals may include but are not limited to one or more of the following options: . . . C. The CO Code Administrator(s) and code holders/applicants may pursue the disagreement with the appropriate governmental/regulatory body").

12. Prior to the FCC's Order and the resulting change in the Central Office Code (NXX) Assignment Guidelines, the MTE procedures used by NANPA permitted a carrier to receive a code assignment, even if the MTE requirement at the switch level was not met. These waivers or exceptions were granted where customer hardships could be demonstrated or where the service provider's inventory did not have a block of sequential numbers large enough to meet the customer's specific request. Under today's procedures, NANPA looks at the MTE for the entire rate center without any exceptions. The FCC has determined, however, that States may

grant relief “if a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory.” FCC 01-362, ¶ 64. In addition, the FCC has ruled that, “States...may grant requests for customers seeking contiguous block of numbers.” *Id.*

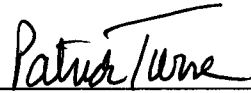
13. AT&T South Carolina requests that the Commission reverse NANPA’s decision to withhold numbering resources from AT&T South Carolina because that decision interferes with AT&T South Carolina’s ability to provide telecommunication services to its customers as required under South Carolina law.

14. This Commission (see Docket No. 2002 –185-C, Order No. 2002-415) and other state regulatory agencies in Alabama, Florida, Georgia, Louisiana, North Carolina, and Tennessee similarly have recognized their jurisdiction and authority to review NANPA denials and to order the release of number resources to AT&T South Carolina to meet customer needs.

WHEREFORE, AT&T South Carolina requests that the Commission:

1. Reverse the decision of NANPA to deny AT&T South Carolina’s request for additional numbering resources;
2. Direct NANPA to provide two consecutive thousand-number blocks in the Mt. Pleasant exchange with XXXX’s that do not begin with a 9 or a 0.
3. Grant the requested relief as soon as possible.

Respectfully submitted this 29th day of October, 2008.

A handwritten signature in cursive script, reading "Patrick W. Turner". The signature is written in black ink and is positioned above a horizontal line.

Patrick W. Turner
Suite 5200
1600 Williams Street
Columbia, South Carolina 29201
(803) 401-2900

ATTORNEY FOR AT&T SOUTH CAROLINA

713406

Exhibit A



4230 Faber Place Drive
Suite 101
North Charleston, SC 29405

Information Services

August 1, 2008

To Whom it may Concern:

We are building a new medical campus in Mt. Pleasant, SC. The plan is to occupy the first building in late 2009 and the remaining facility in 2010. We are requesting 2,000 consecutive phone numbers to provide to the organization. These consecutive numbers will allow us to simplify our dialing plan environment for this location and allow our employees to focus on patient care. Any NXX number will work. But we do not want any of the last four digits (XXXX) to begin with 9XXX or 0XXX. The following examples are not acceptable, 843-NXX-9XXX and 843-NXX-0XXX.

Please provide these numbers to us within the next 3 months. This will allow us to make the appropriate deployment plans and provide preparation time to deliver the services.

Regards,

Al Crothers
Director, IS Technical Services
Roper St. Francis Healthcare
843-579-3573
allen.crothers@rsfh.com









Exhibit B

Pooling Administration System

 aida.armesto@att.com (SP)[• Sign Out](#)

Time : 09/16/2008 11:50:51 AM EDT



- +  Individual Block Requests
- +  CO/NXX Code Requests
- +  Confirm Resources In Service
- +  Donate Blocks
- +  Submit Forecast
- +  Search Forms
- +  Reports
- +  User Profile

Months to Exhaust and Utilization Certification Worksheet - TN Level(Continued)¹

You have requested more blocks than you will exhaust in six months.

Select One Option and Submit

- ☒ Return to the Months To Exhaust Form
- ☐ Need to request a State Waiver
- ☐ Received a State Waiver

Question? Email Us
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Pooling Administration System

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TBPAAG Attachment 1 - March 19, 2007

- + ☐ Individual Block Requests
- + ☐ CO/NXX Code Requests
- + ☐ Confirm Resources In Service
- + ☐ Donate Blocks
- + ☐ Submit Forecast
- + ☐ Search Forms
- + ☐ Reports
- + ☐ User Profile

Thousands-Block Application Form - Part 1A

Tracking
Number:

843-
MTPLEASANT-
SC-239732
Individual Block
Request

Type of
Application:

New

Change

Disconnect

GENERAL APPLICATION INFORMATION

1.1 Contact Information:

Block Applicant:

Company Name: **BELLSOUTH SO BELL**Headquarters
Address: **2600 Camino Ramon**City, State, Zip: **San Ramon, CA, 94583**Contact Name: **Aida Armesto**Contact
Address: **600 NW 79 Ave**City, State, Zip: **Miami, FL, 33182**Phone: **305-260-8205** FAX: **305-264-2918** E-mail: **aida.armesto@att.com**Pooling Administrator: ⁱⁱContact Name: **Dora Wirth**Contact
Address: **1800 Sutter St**City, State, Zip: **Concord, CA, 94520**Phone: **925-363-8706** FAX: **925-363-7684**E-mail: **dora.wirth@neustar.com**

1.2 General Information:

Check one : No LRN needed ☒ LRN needed ⁱⁱⁱNPA: **843** LATA: **436** OCN: ^{iv}
9417 Parent Company's OCN
9400Number of Thousands-Blocks Requested : **2**Switching Identification(Switch Entity/POI) : ^v **MNPLSCES88F**

City or Wire Center Name :

Rate Center: ^{vi}
MTPLEASANT

Rate Center Sub Zone:

1.3 Dates:

Date of Application: ^{vii} **09/16/2008** Requested Block Effective Date: ^{viii} **10/17/2008**

Request Expedited Treatment? (See Section 8.6) Yes No **X**

1.4 Type of Service Provider Requesting the Thousands-Block :

- a) Type of Service Provider : **Incumbent Local Exchange Carrier (ILEC)** (LEC, IXC, CMRS, Other)
- b) Primary type of service Blocks to be used for : **Wireline**
- c) Thousands-Block(s) (NXX-X) assignment Preference (Optional)
CUSTOMER NEEDS 2,000 CONSECUTIVE NUMBERS. DUE TO DIALING RESTRICTIONS CANNOT BE NPA-NXX-0XXX OR NPA-NXX-9XXX
- d) Thousands-Block(s) (NXX-X) that are undesirable for this assignment , if any
NPA-NXX-0XXX OR NPA-NXX-9XXX.
- e) If requesting a code for LRN purposes, indicate which block(s) you will be keeping (the remainder of the blocks will be given to the pool)

1.5 Type of Request:

Initial block for rate center : Yes If Yes , attach evidence of authorization and proof of capability to provide service within 60 days.

Growth block for rate center : Yes **X** If Yes , attach months to exhaust worksheet

By selecting this checkbox, I acknowledge that I am willing to accept a block in red and explicitly understand that the underlying CO code may not yet be activated in the PSTN and loaded in the NPAC on the block effective date.

Type of change(Mark **all** that apply)

OCN:Intra-company ^{ix} Switching Id Part 1B

OCN:Inter-company ^x Effective Date

Change block : Yes If Yes , list NPA-NXX-X

1.6 Block Return :

- a) Is this block Contaminated Yes No
- b) If Yes how many TNs are NOT available for assignment :
- c) Have all new Intra SP ports been completed in the NPAC Yes No
- d) Has this block been protected from further assignment Yes No

Disconnect block : Yes If Yes , list NPA-NXX-X

Remarks:

I hereby certify that the above information requesting an NXX-X block is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Thousands-Block (NXX-X) Pooling Administration Guidelines(ATIS-0300066) available on the ATIS web site (<http://www.atis.org/inc>) or by contacting inc@atis.org as of the date of this application.

Aida Armesto

**Associate
Tech 09/16/2008
Support
Analyst**

Signature of Block Applicant	Network	
	Title	Date

Instructions for filling out each Section of the Part 1A form:

Section 1.1 Contact information requires that Service Providers supply under "Block Applicant" the company name, company headquarters address, a contact within the company, an address where the contact person may be reached, in addition to the correct phone, fax, and e-mail address. The Pooling Administrator section also requires the Service Provider to fill in the Pooling Administrator's name, address, phone, fax and e-mail.

Section 1.2 Service Providers who need a thousands-block assignment or for an Location Routing Number (LRN) are required to fill in this section. If needed for an LRN, a CO Code Application needs to also be submitted to the PA. The Service Provider should supply the Numbering Plan Area (NPA); the Local Access Transport Area (LATA), which is a three-digit number that can be found in the TelcordiaTM LERGTM Routing Guide. The Operating Company Number (OCN) assigned to the service provider and the OCN its parent company. An OCN is a four-character alphanumeric assigned by TelcordiaTM Routing Administration (TRA). In addition, the number of thousands-blocks requested should be supplied. The Switch Identification as well as the city or wire center name, rate center, rate center sub zone, homing tandem and CLLITM tandem of the facilities based provider^{xi}. Explanations of these terms may be found in the footnotes.

Section 1.3 The date the Service Provider completes the application should be entered in this section, as well as the Effective Date of the requested thousands-block.

Section 1.4 Service Providers should indicate their type, e.g., local exchange carrier, competitive local exchange carrier, interexchange carrier, CMRS. They also indicate the primary type of business in which the numbering resource is to be used. Service Providers also may indicate their preference for a particular thousands-block, e.g., 321-9XXX, or indicate any thousands-blocks that may be undesirable, e.g., 321-6XXX.

Section 1.5 Service Providers indicate the type of request. Initial requests are for first applications for thousands-blocks in a rate center, growth for additional thousands-blocks in a rate center in which the applicant already has numbering resources, and provide the required evidence as ordered by the FCC.

Section 1.6 Service Providers must indicate the updated/current information in regards to contaminated TNs on the block they are returning to the pool. Blocks with over 10% contamination (101 TNs or more) shall not be returned to the pool unless they meet criteria outlined in section 9.1.2 of these Guidelines. If the block being returned is over 10% contaminated the PA shall seek a new block holder. If question c and/or d have a response of No, the request for return shall be denied. The thousands-block applicant certifies veracity of this form by signing their name, and providing their title and date.

Foot Notes :

ⁱ Identify the type of change(s) in Section 1.5.

ⁱⁱ The Pool Administrator is available to assist in completing these forms.

ⁱⁱⁱ A CO Code application will also need to be submitted to the PA.

^{iv} Operating Company Number (OCN) assignments must uniquely identify the applicant. Relative to CO Code assignments, NECA-assigned Company Codes may be used as OCNs. Companies with no prior CO Code or Company Code assignments should contact NECA (800 524-1020) to be assigned a Company Code(s). Since multiple OCNs and/or Company Codes may be associated with a given company, companies with prior assignments should direct questions regarding appropriate OCN usage to (TRA) (732-699-6700).

^v This is an eleven-character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the 11 character CLLITM code of the switch /POI.

^{vi} Rate Center name must be a tariffed Rate Center.

^{vii} Acknowledgment and indication of disposition of this application will be provided to applicant within seven calendar days from the date of receipt of this application. An incomplete form may result in delays in processing this request.

^{viii} Please ensure that the NPA-NXX of the LRN to be associated with this block(s) is/will be active in the network prior to the effective date of the block(s).

^{ix} Select if you are the current Block Holder.

* Select if you are not the current Block Holder

* Telcordia, LEROS Routing Guide, and CUI are trademarks of Telcordia Technologies, Inc.

[Back](#)

Pooling Administration System









 aida.armesto@att.com (SP)

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May 16, 2008

- +  Individual Block Requests
- +  CO/NXX Code Requests
- +  Confirm Resources In Service
- +  Donate Blocks
- +  Submit Forecast
- +  Search Forms
- +  Reports
- +  User Profile

Appendix 3

MONTHS TO EXHAUST and UTILIZATION CERTIFICATION WORK SHEET - TN Level¹

(Thousands-Block Number Pooling Growth Block Request)

Tracking Number: **843-MTPLEASANT-SC-239732**Date: **09/16/2008**OCN:**9417**Company Name:**BELLSOUTH SO BELL**Rate Center: **MTPLEASANT**

List all Codes NPA(s)-NXX(s) and Blocks NPA(s)-NXX-X(s):

Name of Block Applicant:**Aida Armesto**Signature: **Aida Armesto**Title:**Associate Tech Support Analyst Network**
FAX No.: **305-264-2918**Telephone No.: **305-260-8205**E-mail: **aida.armesto@att.com**A. Available Numbers:**13604**B. Assigned Numbers: **49491**C. Total Numbering Resources:**65754**D. Quantity of numbers activated in the past 90 days (increments of 1,000 or 10,000) and excluded from the Utilization calculation ²:**0**List
Excluded
Code(s) or
Block(s):

Month #1	Month #2	Month #3	Month #4	Month #5	Month #6	Month #7	Month #8	Month #9	Month #10	Month #11	Month #12
----------	----------	----------	----------	----------	----------	----------	----------	----------	-----------	-----------	-----------

E. Growth
History -
Previous 6
months³

391	632	114	238	730	341
-----	-----	-----	-----	-----	-----

F. Forecast
- Next 12
months⁴

408	2408	408	408	408	408	408	408	408	408	408	408
-----	------	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----

G. Average Monthly Forecast (Sum of months 1-6 (Part F above) divided by 6):**741.333**H. Months
to

Numbers Available for Assignment to

Exhaust⁵
=

Customers(A)

Average Monthly Forecast(G)

Block Requested

Available Numbers

Months To Exhaust

1

13604

18.351

2

14604

19.70

I.

Utilization⁶ Assigned Numbers(B) - Excluded Numbers(D) X 100 =
= 75.267

Total Numbering Resources(C)-Excluded
Numbers(D)

Explanation:

¹A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.

²Quantity of numbers activated in the past 90 days is based on blocks and/or codes received from the administrator and shall be reported in increments of 1,000 or 10,000 TNs (e. g.: 2 blocks received=2,000 and 1 code received =10,000).

³Net change in TNs no longer available for assignment in each previous month, starting with the most distant month as Month #1, and Month #6 as the current month.

⁴Forecast of TNs needed in each following month, starting with the most recent month as Month #1.

⁵To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, section 52.15 (g) (3) (iii)).

⁶Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g) (3)(ii))

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Pooling Administration System

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Attachment 3

- + ☐ Individual Block Requests
- + ☐ CO/NXX Code Requests
- + ☐ Confirm Resources In Service
- + ☐ Donate Blocks
- + ☐ Submit Forecast
- + ☐ Search Forms
- + ☐ Reports
- + ☐ User Profile

November 21, 2003
ATIS-0300066.at3

Pooling Administrator's Response/Confirmation
TBPAAG Part 3

Tracking Number : **843-
MTPLEASANT-
SC-239732**

Date of Application: **09/16/2008** Effective Date: _____
Date of Receipt: **09/16/2008** Date of Response: **09/16/2008**

Service Provider Name: **BELLSOUTH SO BELL**
(Telcordia TM LERG TM
Routing Guide) OCN: **9417**

NPAC SOA SPID : _____

Pooling Administrator Contact Information:

Dora Wirth Phone: **925-363-8706**

Signature of Pooling Administrator

Dora Wirth Fax: **925-363-7684**

Name (print)

Email: **dora.wirth@neustar.com**NPA-NXX or NPA-
NXX-X : _____

Block Assigned: _____
Block Reserved : _____
Block Reservation
Expiration Date : _____
Block/Code Modified : _____
Block/Code
Disconnected : _____

Block Contaminated(Yes or No) : _____

If Yes,enter the number of TNs contaminated : _____

Switch Identification(Switch Entity/POI): ¹**MNPLSCES88F**

Rate Center:

MTPLEASANT

Rate Center Sub Zone: _____

X**Form Complete, request denied.**

Explanation:

DR-57: You do not meet the MTF and/or Utilization requirements. therefore this request for a new block is denied. You may proceed with requesting a State Waiver from the appropriate state commission using this Part 3 denial. If you are in disagreement with the disposition of this request, please refer to the Thousands-Block Number (NXX-X) Pooling Administration Guidelines for the appeals process.

Request withdrawn

Explanation

Assignment activity suspended by the administrator.

Explanation

Remarks

¹ This is an eleven character descriptor provided by the owning entity for the purpose of routing calls. This must be the CLLITM Location Identification code of the switching entry (PC) shown on the Flat 1A form (Telcordia LERG ROUTING Guide and CLLI are trademarks of Telcordia Technologies Inc.)

Back

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND) CERTIFICATE OF SERVICE

The undersigned, Nyla M. Laney, hereby certifies that she is employed by the Legal Department for AT&T South Carolina (“AT&T”) and that she has caused AT&T’s Petition for Review of NXX Code Denial in the Mt. Pleasant-Rate Center to be served by the method indicated below upon the following this October 29, 2008:

Thomas C. Foley
Sr. NPA Relief Planner – Eastern Region NANPA
NeuStar – NANPA
820 Riverbend Blvd.
Longwood, FL 32779-2327
(Electronic Mail)

Ms. Kimberly Miller
Regulatory Policy Attorney
NeuStar-NANPA
2000 M Street, NW, Suite 600
Washington, DC 20036-3328
(Electronic Mail)

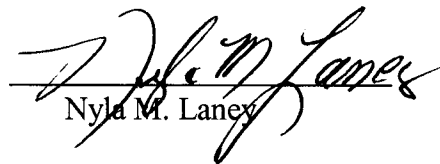
Wayne Milby
Sr. NPA Relief Planner
NueStar-NANPA
8385 Yahley Mill Rd.
Richmond, VA 23231
(Electronic Mail)

F. David Butler, Esquire
General Counsel
S. C. Public Service Commission
Post Office Box 11649
Columbia, South Carolina 29211
(PSC Staff)
(Electronic Mail)

Jocelyn G. Boyd, Esquire
Staff Attorney
S. C. Public Service Commission
Post Office Box 11649
Columbia, South Carolina 29211
(PSC Staff)
jocelyn.boyd@psc.sc.gov
(Electronic Mail)

Joseph Melchers
Chief Counsel
S.C. Public Service Commission
Post Office Box 11649
Columbia, South Carolina 29211
(PSC Staff)
(Electronic Mail)

C. Lessie Hammonds, Esquire
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, SC 29201
(Electronic Mail)



Nyla M. Laney

714992